

**PLEA MINUTE SHEET**  
**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO (AT LAS CRUCES)**

**CR 21-878 KG****UNITED STATES vs. JOHN BENJAMIN THORNTON**

**Before The Honorable Kenneth J. Gonzales, United States District Judge**

Hearing Date:	12/3/2021	Time In and Out:	3:05 - 3:47 pm (42 minutes)
Clerk:	CHRIS EUBANKS	Court Reporter:	DANNA SCHUTTE EVERETT
Defendant:	JOHN BENJAMIN THORNTON	Defendant's Counsel:	BERNADETTE SEDILLO and GIA MCGILLIVRAY
AUSA:	MARISA ONG and JONI STAHL	Interpreter:	N/A
			<input type="checkbox"/> Sworn
			<input type="checkbox"/> Waived

<input checked="" type="checkbox"/>	Defendant Sworn	<input checked="" type="checkbox"/>	First Appearance
<input type="checkbox"/>	Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.		
<input checked="" type="checkbox"/>	Deft acknowledges receipt of: <b>Second Superseding Indictment</b>		
<input type="checkbox"/>	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.		
<input type="checkbox"/>	Terms and conditions of proposed plea agreement explained.	<input type="checkbox"/>	Defendant indicates understanding of its terms.
<input checked="" type="checkbox"/>	Factual predicate to sustain the plea provided.		
<input checked="" type="checkbox"/>	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.		
<input checked="" type="checkbox"/>	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).		
<input type="checkbox"/>	Deft questioned re time to consult with attorney and if satisfied with his or her representation.		
<input checked="" type="checkbox"/>	Court finds Deft fully understands charge(s) and the consequences of entering a guilty plea to that charge (or those charges).		
<input checked="" type="checkbox"/>	Deft pleads GUILTY to: <b>Second Superseding Indictment</b>		
<input type="checkbox"/>	Allocution by Deft on elements of charge(s).		
<input checked="" type="checkbox"/>	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.		
<input checked="" type="checkbox"/>	Deft adjudged guilty.		
<input type="checkbox"/>	Acceptance of plea agreement deferred until final disposition hearing by district judge.		
<input checked="" type="checkbox"/>	Sentencing Date: <b>to be notified</b>		
<input checked="" type="checkbox"/>	Defendant to Remain in Custody		
<input type="checkbox"/>	Present conditions of release continued	<input type="checkbox"/>	Conditions changed to:
<input type="checkbox"/>	Penalty for failure to appear explained		
<input checked="" type="checkbox"/>	Presentence Report Ordered	<input type="checkbox"/>	Expedited (Type III)

Other Matters:

Court addresses the defendant regarding waiver of personal appearance; defendant agrees to his personal presence at this hearing and agrees to proceed via video conferencing.